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Attorneys for Abdi Yemani Hussein

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

United States of America, ) CR-19-02162- JGZ-EJM-2  
vs. Plaintiff, )  
Abdi Yemani Hussein, ) **DEFENDANT HUSSEIN'S**  
Defendant. ) **TRIAL BRIEF**

Abdi Hussein, through counsel, hereby files the Trial Brief required by the Court's October 23, 2023, Pretrial Scheduling Order. (Doc. 320).

Mr. Hussein is not asserting an affirmative defense. Instead, he will rely on the failure of the government to prove beyond a reasonable doubt each element of the crimes alleged, including Mr. Hussein's *mens rea*.

With respect to anticipated evidentiary disputes, those have been addressed in the motions in limine filed in this matter. However, Mr. Hussein reserves the right to object to the government's presentation of evidence based on any appropriate basis, including

1 whether statements of defendant Mohamed properly fall under the co-conspirator hearsay  
2 exception. *See Fed.R.Evid. 801(d)(2)(E).*

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4 RESPECTFULLY SUBMITTED this 18<sup>th</sup> day of March, 2024.  
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7 By s/Dan H. Cooper  
8 Dan H. Cooper  
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12 By: s/Amy B. Krauss  
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**CERTIFICATE OF SERVICE**

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